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APR 16 2008

**SMART & BIGGAR***Intellectual Property & Technology Law***To Fax no.:** 571-273-8300**Page 1 of:** 2**Attention:** **MAILSTOP AF**  
**Notice of Appeal**  
(Examiner LOUIE, OSCAR A.  
Group Art Unit 2136)P.O. Box 2999, Station D  
55 Metcalfe Street, Suite 900  
Ottawa, Canada K1P 5Y6

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**From:** R. Allan Brett**Your file no.:** 10/697,309**Date:** April 16, 2008**Reply to Ottawa file no.:** 77682-224**Time:****RESPONSE AFTER FINAL ACTION**  
**EXPEDITED HANDLING REQUESTED**

Notice of Appeal

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PTO/SB/31 (01-08)

Approved for use through 03/31/2008. OMB 0651-0031

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NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

77682-224

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed  
name \_\_\_\_\_In re Application of  
LEGNAIN, AbdelgaderApplication Number  
10/697,309Filed  
10/31/2003

For System and Method for Decoding CDMA Quality Channel

Art Unit  
2136Examiner  
LOUIE, OSCAR A.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 510.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

04/17/2008 PCHOMP 00000005 192550 10:97309

☐ Payment by credit card. Form PTO-2038 is attached.

01 FC:1401 510.00 DA

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-2550. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 40,476

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature

R. ALLAN BRETT

Typed or printed name

613-232-2486

Telephone number

April 16, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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